

## **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL**

**March 24, 2003**

The REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL was held on Monday, March 24, 2003, at 8:11 p.m., in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina.

PRESENT: Mr. James H. Rozier, Jr., Supervisor-Chairman; Mr. William E. Crosby, Council Member District No. 3 and Vice Chairman of County Council; Mr. Milton Farley, Council Member District No. 1; Ms. Judith K. Spooner, Council Member District No. 2; Mr. Charles E. Davis, Council Member District No. 4; Mr. Dennis L. Fish, Council Member District No. 5; Mrs. Judy C. Mims, Council Member District No. 6; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; Mr. Steve C. Davis, Councilmember District No. 8; Ms. Nicole Ewing, Deputy County Attorney, and Ms. Barbara B. Austin, Clerk of County Council.

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at the entrance of the County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina and the Berkeley County Library, and mailed to the newspaper, radio stations, television stations, concerned citizens and posted electronically.

Chairman Rozier called the meeting to order. Councilmember Spooner gave the invocation and Councilmember Crosby led in the Pledge of Allegiance to the Flag of the United States of America.

### **APPROVAL OF MINUTES:**

Chairman Rozier asked for approval of minutes from Public Hearings Bills Numbered: 02-70, 02-71, 02-72, 02-73, 02-74 and CDBG held on February 24, 2003; Regular Council Meeting held on February 24, 2003.

It was moved by Councilmember Crosby and seconded by Councilmember Pinckney to approve the minutes as presented. The motion was passed by unanimous voice vote of Council.

There was no **PUBLIC DISCUSSION**.

There was no **EXECUTIVE SESSION**.

### **THIRD READING:**

**“BILL NO. 03-3, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA IN REGARDS TO RECLASSIFICATION OF APPROVED USES OF TMS #197-00-02-022 AND 197-00-02-026.” (O’Neil)**

It was moved by Councilmember Crosby and seconded by Councilmember Spooner to approve **Bill No. 03-3** for Third and Final Reading. The motion was passed by unanimous voice vote of Council. (A copy of Ordinance No. 03-03-14 is attached to these minutes.)

**“BILL NO. 03-5, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA IN REGARDS TO RECLASSIFICATION OF APPROVED USES OF TMS #087-00-07-025 AND 087-00-07-086.”** (Lewis)

It was moved by Councilmember Spooner and seconded by Councilmember Charles Davis to approve amended **Bill No. 03-5** from GC, General Commercial to OI, Office Institutional for Third and Final Reading. The motion passed by majority voice vote of Council, with Councilmember Steve Davis voting “Nay”. (A copy of Ordinance No.03-03-15 is attached to these minutes.)

### **SECOND READING:**

**“BILL NO. 03-4, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA IN REGARDS TO RECLASSIFICATION OF APPROVED USES OF TMS #242-04-01-047.”** (Theilen)

It was moved by Councilmember Fish and seconded by Councilmember Charles Davis to approve **Bill No. 03-4** for Second Reading. The motion was passed by unanimous voice vote of Council.

**“BILL NO. 03-7, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA IN REGARDS TO RECLASSIFICATION OF APPROVED USES OF TMS #271-00-01-032 AND 032.”** (Green Myers Development)

It was moved by Councilmember Steve Davis and seconded by Councilmember Spooner to approve **Bill No. 03-7** for Second Reading. The motion passed by unanimous voice vote of Council.

**“BILL NO. 03-8, AN ORDINANCE AUTHORIZING THE SALE, AT PUBLIC AUCTION, OF REAL PROPERTY PRESENTLY OWNED BY BERKELEY COUNTY, LOCATED AT 1194 CLEMENTS FERRY ROAD, WANDO, SOUTH CAROLINA, TMS #263-00-01-007.”**

It was moved by Councilmember Spooner and seconded by Councilmember Farley to approve **Bill No. 03-8** for Second Reading. The motion was passed by majority voice vote of Council, with Councilmember Steve Davis voting “Nay”.

**“BILL NO. 03-9, AN ORDINANCE GRANTING A RENEWAL FRANCHISE FOR THE CONSTRUCTION, ACQUISITION, OPERATION, AND MAINTENANCE OF A CABLE TELEVISION SYSTEM WITHIN SPECIFIC UNINCORPORATED AREAS OF BERKELEY COUNTY TO PINE TREE CABLEVISION.”**

It was moved by Councilmember Fish and seconded by Councilmember Crosby to approve Bill No. 03-9 for Second Reading. The motion was passed by unanimous voice vote of Council.

Chairman Rozier explained that Bills for First Reading are read into the record and sent to the proper Committee for discussion. No discussion or vote would be taken tonight.

**FIRST READING:**

**“BILL NO. 03-12, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA IN REGARDS TO RECLASSIFICATION OF APPROVED USES OF TMS #197-00-02-029.”**  
(Hall)

**“BILL NO. 03-13, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA IN REGARDS TO RECLASSIFICATION OF APPROVED USES OF TMS #232-00-02-116.”**  
(Tyner Development)

**“BILL NO. 03-14, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA IN REGARDS TO RECLASSIFICATION OF APPROVED USES OF TMS #222-00-00-107.”**  
(Massenburg, Jr.)

**“BILL NO. 03-15, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA IN REGARDS TO RECLASSIFICATION OF APPROVED USES OF TMS #095-00-00-027.”**  
(Myzell)

**“BILL NO. 03-16, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA IN REGARDS TO RECLASSIFICATION OF APPROVED USES OF TMS #162-00-01-017.”**  
(Final Development Plan, Moss Grove Plantation)

**“BILL NO. 03-17, AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF NOT EXCEEDING 20,000,000 PRINCIPAL AMOUNT EXEMPT FACILITY INDUSTRIAL REVENUE BONDS (BP AMOCO CHEMICAL COMPANY PROJECT) SERIES 2003, OF BERKELEY COUNTY, SOUTH CAROLINA; THE APPLICATION OF THE PROCEEDS OF SAID SERIES 2003 BONDS TO PAY THE COST OF ACQUIRING CERTAIN EXEMPT FACILITIES AND FACILITIES FUNCTIONALLY RELATED AND**

SUBORDINATE THERETO WHICH COMPRISE AN INDUSTRIAL FACILITY; THE ENTERING INTO OF CERTAIN COVENANTS AND AGREEMENTS AND THE EXECUTION AND DELIVERY OF CERTAIN INSTRUMENTS RELATING TO THE ISSUANCE OF THE AFORESAID BONDS, INCLUDING, WITHOUT LIMITATION, AN INDENTURE OF TRUST BETWEEN BERKELEY COUNTY AND A TRUSTEE BANK TO BE NAMED, OR ANY SUCCESSOR THERETO SECURING THE SERIES 2003 BONDS AND PRESCRIBING MATTERS RELATED THERETO AND A LOAN AGREEMENT BETWEEN BERKELEY COUNTY AND BP AMOCO CHEMICAL COMPANY, AND OTHER MATTERS RELATING THERETO."

**"BILL NO. 03-18**, AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT AND CERTAIN INSTRUMENTS RELATING THERETO BY AND BETWEEN BERKELEY COUNTY AND MARINE TERMINALS OF SOUTH CAROLINA, INC., WHEREBY, BERKELEY COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH MARINE TERMINALS OF SOUTH CAROLINA, INC.; PROVIDING FOR PAYMENT BY MARINE TERMINALS OF SOUTH CAROLINA, INC. OF CERTAIN FEES-IN-LIEU OF AD VALOREM TAXES; AND OTHER MATTERS RELATING THERETO."

**"BILL NO. 03-19**, AN ORDINANCE TO AMEND ORDINANCE NO. 02-6-23, ADOPTED JUNE 24, 2002, TO PROVIDE FOR SUPPLEMENTAL APPROPRIATIONS AND ALLOCATIONS THEREOF WITHIN THE 2002-2003 BUDGET FOR BERKELEY COUNTY; AND OTHER MATTERS PERTAINING THERETO."

### **RESOLUTIONS:**

"RESOLUTION MAKING APPLICATION TO THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA FOR APPROVAL OF THE ISSUANCE BY BERKELEY COUNTY, SOUTH CAROLINA, OF ITS EXEMPT FACILITY INDUSTRIAL REVENUE BONDS (BP AMOCO CHEMICAL COMPANY PROJECT) SERIES 2003, PURSUANT TO THE PROVISIONS OF SOUTH CAROLINA CODE ANNOTATED, TITLE 4, CHAPTER 29 (1976), AS AMENDED, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$20,000,000."

It was moved by Councilmember Crosby and seconded by Councilmember Pinckney to approve the Resolution as presented. The motion was passed by unanimous voice vote of the Council. (A copy of Resolution No. R 03-10 is attached to these minutes.)

"RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN BERKELEY COUNTY, SOUTH CAROLINA AND MARINE TERMINALS OF SOUTH CAROLINA, INC., WHEREBY, BERKELEY COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH MARINE TERMINALS OF SOUTH CAROLINA, INC., AND OTHER MATTERS RELATING THERETO."

It was moved by Councilmember Crosby and seconded by Councilmember Spooner to approve the Resolution as presented. The motion was passed by unanimous voice vote of Council. (A copy of Resolution No. R 03-11 is attached to these minutes.)

“RESOLUTION AUTHORIZING THE COUNTY SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN JOSEPH E. RUDD AND BERKELEY COUNTY FOR THE SALE AND PURCHASE OF A CERTAIN ONE (1) ACRE PARCEL IN SECOND GOOSE CREEK PARISH, TMS #178-00-02-055, BERKELEY COUNTY, SOUTH CAROLINA.”

It was moved by Councilmember Pinckney and seconded by Councilmember Steve Davis to approve the Resolution as presented. The motion was passed by unanimous voice vote of Council. (A copy of Resolution No. R 03-12 is attached to these minutes.)

Councilmember Spooner asked, without objection, for a Resolution in support of our President and his advisors and our service men and women to be addressed.

There was no objection.

“RESOLUTION TO EXPRESS SUPPORT FOR PRESIDENT GEORGE W. BUSH, OUR TROOPS, AND THEIR FAMILIES IN THEIR CURRENT EFFORTS IN IRAQ.”

It was moved by Councilmember Spooner and seconded by Councilmember Mims to approve the Resolution as presented. The motion was passed by unanimous voice vote of Council. (A copy of Resolution No. R 03-13 is attached to these minutes.)

#### **REPORTS FROM STANDING COMMITTEES:**

**COMMITTEE ON FINANCE**, Councilmember, Mr. Dennis L. Fish, Chairman.

Councilmember Fish reported the Committee met on March 17, 2003. Several matters had been taken care of on tonight's agenda.

It was moved by Councilmember Fish, upon recommendation of the Committee on Finance, to approve redesignation of the balance of the 2000-2001 lease purchase funds. NO SECOND REQUIRED. The motion was passed by unanimous voice vote of Council.

**COMMITTEE ON LAND USE**, Councilmember Mr. Milton Farley, Chairman.

Councilmember Farley reported the Committee met on March 17, 2003. All items had been taken care of on tonight's agenda.

**COMMITTEE ON PUBLIC WORKS AND PURCHASING**, Councilmember Caldwell Pinckney, Jr., Chairman.

Councilmember Pinckney reported that the Committee met on March 17, 2003.

It was moved by Councilmember Pinckney on recommendation of the Committee to approve Wachovia Bank for the Series 2003 Water and Sewer Bonds Trustee Services and Analysis. NO SECOND REQUIRED. The motion passed by unanimous voice vote of Council.

It was moved by Councilmember Pinckney upon recommendation of the Committee to reject all bids for uniform services. NO SECOND REQUIRED. The motion passed by unanimous voice vote of Council.

It was moved by Councilmember Pinckney upon recommendation of the Committee to approve contracts for bids numbered 1-8 as listed on the Public Works and Purchasing report listed on tonight's agenda. NO SECOND REQUIRED. The motion passed by unanimous voice vote of Council.

(A copy of the Public Works and Purchasing report list is attached hereto and by this reference is made a part hereof.)

**COMMITTEE ON JUSTICE AND PUBLIC SAFETY**, Councilmember Judy C. Mims, Chairman

Councilmember Mims reported the Committee met on March 10, 2003.

It was moved by Councilmember Mims upon recommendation of the Committee to approve a Public Hearing scheduled for April 14, 2003 at 6 p.m. in regard to the modification of the Magistrate's System as recommended by the Citizen's Advisory Committee. NO SECOND REQUIRED. The motion was passed by unanimous voice vote of Council.

**COMMITTEE ON WATER AND SANITATION**, Councilmember Steve C. Davis, Chairman.

Councilmember Steve Davis reported the Committee met on March 10, 2003. Several of the matters have been taken care of on tonight's agenda.

Mr. Marc Hehn, Director, Berkeley County Water and Sanitation Authority provided the Committee with a report on the proposed purchase of the St. Stephen Water and Sewer Project. No action was required.

**COMMITTEE ON PLANNING AND DEVELOPMENT**, Councilmember Charles E. Davis, Chairman.

No Report.

**COMMITTEE ON COMMUNITY SERVICES**, Councilmember Judith K. Spooner, Chairman.

Councilmember Judith Spooner reported the Committee met on March 10, 2003.

It was moved by Councilmember Spooner upon recommendation of the Committee to allow Mr. Colleen Carney, Berkeley County Library Director, to use the lottery funds as per guidelines of the State of South Carolina without coming to Council with individual proposals; also Sole Source purchase with Dynnex for network and telecommunications equipment. NO SECOND REQUIRED. The motion passed by unanimous voice vote of Council.

Also, Mr. John, Hamer, Berkeley County Purchasing Director, provided the committee with information in regard to the RFPs for Spiers Landing. The proposals will be opened on April 3, 2003.

**COMMITTEE ON HUMAN SERVICES**, Councilmember William E. Crosby, Chairman.

Councilmember Crosby reported the Committee met on March 10, 2003.

Ms. Madelyn Robinson, Berkeley County Planner, provided the committee with information in regard to a state implementation plan to obtain "Cleaner Air Sooner" for South Carolina. No action was required.

#### **NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.**

Councilmember Charles Davis reappointed Ms. Carol G. Wiggins to the Accommodations Tax Advisory Commission.

Councilmember Crosby reappointed Ms. Nancy Treveno to the Goose Creek Recreation Commission. Also, Mr. Roland Dordol to the Board of Zoning Appeals. He also nominated Dr. Temisan Etikerentse as an at large member to the Berkeley County Mental Health Board.

Councilmember Steve Davis nominated Mr. Henry Green to the Berkeley County Special Fire Tax District Advisory Commission. Also, Mr. Anthony Ravenal to the Berkeley County Mental Health Board.

Councilmember Fish nominated Mr. David Wright to the Tall Pines Special Tax District Advisory Commission.

Councilmember Mims reappointed Mr. Moses Brown to the Spiers Landing Advisory Commission.

The nominations were approved by a unanimous voice vote of Council.

There was no **CORRESPONDENCE**.

There was no **UNFINISHED BUSINESS**.

### **NEW BUSINESS:**

Chairman Rozier explained that Council gave him authority last year due to the West Nile Virus to spend additional funds for Mosquito Abatement. We are facing the worse year of mosquitoes. We are in the process of spraying the ditches with larvicide. It is believed that this will be more advantageous than spraying once they hatch. He asked Council to give him the same authority to spend \$9000 for larvicide chemical and pellets. Also there will be times he will have to make a quick decision before coming to Council regarding Mosquito Abatement. He asked for an extension to the same authority that he had for the West Nile Virus. He will report any additional monies spent to Council at the next scheduled meeting.

It was moved by Councilmember Pinckney and seconded by Councilmember Steve Davis to give the Supervisor authority to spend additional funds for mosquito abatement without coming to Council before hand. The motion passed by unanimous voice vote of Council.

### **ANNOUNCEMENTS**

The April, 2003, Regular Meeting of Berkeley County Council will be held on Monday, April 28, 2003, in the Assembly Room, 223 North Live Oak Drive, Moncks Corner, SC at 7:00 p.m.

It was moved by Councilmember Steve Davis and seconded by Councilmember Pinckney to adjourn the Regular Meeting of Council. The motion was passed by a unanimous voice vote of Council.

The meeting was adjourned at 9:00 p.m.

### **PUBLIC DISCUSSION:**

Mr. Terrence Lucas, 755 Lake Hill Drive, St. Stephen, (Russellville) addressed County Council with a concern regarding the condition of Lake Hill Drive. It is in very poor condition due to potholes. It has been grated, but it needs to have rock placed on it as well. He also expressed concern regarding the drainage. The road always has standing water. He indicated the drainage has not been worked on in many years.

Mr. Rozier asked Mr. Lucas for his phone number and gave him a business card. He explained to Mr. Lucas if he has not heard from him in a week to ten (10) days to give him a call.

Mr. Samuel Ravenal Jr., Ext. 3714 Hwy 52, also complained about the drainage on Lake Hill Drive. He asked if he purchased pipe for a drive way would Berkeley County install a drive for him?

Mr. Rozier also gave Mr. Ravenal a card and said that he will check on the request and give him a call as to the results.



Ms. Annette Lucas, 755, Lake Hill Drive, St. Stephens, (Russellville) addressed Council complaining about the drainage on Lake Hill Drive.

Mr. Sam Mose, 401 Dike Road, Bonneau, addressed Council stating, "I am living in a pond." He would request that something be done about the drainage in his area.

Mr. Rozier gave Mr. Mose a business card and told him he would be back in touch with him.

Chris Pipkin, 336 Pipkin Lane, Jamestown. Ms. Pipkin addressed Council stating that on August 24, 1999, Berkeley County approved a water district for them along with a map of their service district. There was a meeting in Shulerville/ Honey Hill at which Mr. Doug Clary stated Berkeley County would service Simmons Hill Road, which is in Jamestown's water district. Jamestown already services half of the Simmons Hill Rd. residents, the remainder have never asked for water. Ms. Pipkin received a letter from Mr. Marc Hehn, Director of Berkeley County Water and Sanitation on January 10, 2003 stating there were eight (8) individuals on Simmons Hill Road that wished to have water. Ms. Pipkin stated that BCW&SA confronted these individuals asking them to sign a letter so that they might be a part of BCW&SA service area. She does not understand why BCW&SA is soliciting these individuals that are in Jamestown's service district. Jamestown has applied for a grant to fund the cost of servicing these residents. Ms. Pipkins received another letter from Mr. Hehn stating Jamestown had until April 10, 2003 to supply the residents with water or BCW&SA was going to take over and service the residents as part of Berkeley County's water district. Ms. Pipkin wants to know why Berkeley County Water and Sanitation is conducting things this way.

Chairman Rozier suggested to Council that they ask Mr. Hehn these questions at the next Water and Sanitation meeting that will be held on April 21, 2003. Mr. Roizer explained it was his understanding there was \$1 million remaining from the grant to run water lines to the Macedonia area schools and it was requested to use the extra \$1 million to take the lines to the Shulerville/ Honey Hill area, which will run to Simmons Hill Rd and they have to service someone at the end of those lines in order to use the million dollars. Mr. Rozier stated he would have to ask BCW&SA about soliciting residents on Simmons Hill Road. He asked Ms. Pipkin if the residents indicated that BCW&SA solicited them?

Ms. Pipkin stated that Ms. Bernice Friendly, former Berkeley County Councilmember supplied letters that request water from Berkeley County Water and Sanitation to the eight (8) residents. When the residents signed the letters she took copies to Jamestown Town Hall.

Mr. Phillip McGinnis, 416 Ashburton Drive, Goose Creek addressed Council stating he came before them in February regarding a drainage ditch in St. Ives. They still have a problem with this ditch. He spoke with Councilmember Fish and understands a letter has been sent to the developer to give them a deadline to fix the drainage problem.

Chairman Rozier explained the County has a bond by the developer and they are giving him a deadline. If he does not do the work by the deadline then the County can call the bond and do the work themselves.

Public Discussion ended at 9:15 p.m.

S/Barbara B. Austin  
Clerk of County Council

April 28, 2003  
Date Approved

The **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** to be held on Monday March 24, 2003, is scheduled to begin at 7:00 P.M., in the ASSEMBLY ROOM, BERKELEY COUNTY OFFICE BUILDING, 223 NORTH LIVE OAK DRIVE, MONCKS CORNER, S. C.

## **CALL TO ORDER**

## **INVOCATION**

## **PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA**

## **APPROVAL OF MINUTES:**

Public Hearings Bills Numbered: 02-70, 02-71, 02-72, 02-73, 02-74	February 24, 2003
Public Hearing – CDBG	February 24, 2003
Regular Council Meeting	February 24, 2003

**PUBLIC DISCUSSION** - Request to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.

**EXECUTIVE SESSION** to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim.

## **THIRD READING:**

1. **Bill No. 03-3**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Gary and Laurie O'Neill, 326 Garbar Lane, Moncks Corner, TMS #197-00-02-022 (4.33 acres), and 197-00-02-026 (1.83 acres), from R-2, Manufactured Residential District, to F-1, Agricultural District. Council District No. 3.  
[Recommended by Committee on Land Use]

2. **Bill No. 03-5**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: James W. Lewis, Jr., 2172 North Highway 17-A, Bonneau, TMS #087-00-07-025 (a .71 acre portion, 2.51 acres total), and 087-00-07-086 (one lot), from F-1, Agricultural District, to GC, General Commercial District. Council District No. 6.

[Recommended by Committee on Land Use]

Berkeley County Council Rules allows all bills to be given second reading by one motion as a collective group. Any member may object to a particular bill and it shall be separated from the collective group and handled by a separate motion.

**SECOND READING:**

1. **Bill No. 03-4**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Thomas and Jennifer Thielen, 587 College Park Road, Ladson, TMS #242-04-01-047 (1 lot), from R-1, Single Family Residential District, to GC, General Commercial District. Council District No. 5.

[Recommended by Committee on Land Use]

2. **Bill No. 03-7**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Green Myers Development, 2526 Clements Ferry Road, Cainhoy, TMS #271-00-01-032 (18 acres portion of 19.16 acres total), and 032 (a 17 acre portion of 18.09 acres total), from GC, General Commercial District to LI, Light Industrial District. Council District No. 8.

[Recommended by Committee on Land Use]

3. **Bill No. 03-8**, An Ordinance authorizing the sale, at public auction, of real property presently owned by Berkeley County, located at 1194 Clements Ferry Road, Wando, South Carolina, TMS Number 263-00-01-007.

[Recommended by Committee on Land Use]

4. **Bill No. 03-9**, an Ordinance granting a renewal franchise for the construction, acquisition, operation, and maintenance of a cable television system within specific unincorporated areas of Berkeley County to Pine Tree Cablevision.

[Recommended by Committee on Finance]

**FIRST READING:**

1. **Bill No. 03-12**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Jeffrey and Victoria Hall, 323 Garber Lane, Moncks Corner, TMS #197-00-02-029 (10.57 acres), from R-2RF, Mobile Home Rural Farm Residential District, to F-1, Agricultural District. Council District No. 3.

[Recommended by Committee on Land Use]

2. **Bill No. 03-13**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Tyner Development, 290 Sangaree Parkway, Summerville, TMS #232-00-02-116 (8.66 acres), from OI, Office Institutional District, to R-1, Single Family Residential District. Council District No. 4.

[Recommended by Committee on Land Use]

3. **Bill No. 03-14**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Ralph E. Massenburg, Jr. for the Pinto Horse Association of America, Inc., Turtle Pond Road, Summerville, TMS #222-00-00-107 (9.96 acres), from F-1, Agricultural District, to GC, General Commercial. Council District No. 4  
[Recommended by Committee on Land Use]

4. **Bill No. 03-15**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re Beverly A. Myzell, 2996 Old Gaillard, Holly Hill, TMS #095-00-00-027 (.28 acre portion, 18.00 acres total), from F-1, Agriculture District to RNC, Rural and Neighborhood Commercial District. Council District No. 7.  
[Recommended by Committee on Land Use]

5. **Bill No. 03-16**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Final Development Plan, Moss Grove Plantation, TMS #162-00-01-017, Zoned PDMU, Council District No. 6.  
[Recommended by Committee on Land Use]

6. **Bill No. 03-17**, An Ordinance authorizing the execution and delivery of not exceeding 20,000,000 principal amount exempt facility industrial revenue bonds (BP Amoco Chemical Company Project) Series 2003, of Berkeley County, South Carolina; the application of the proceeds of said Series 2003 bonds to pay the cost of acquiring certain exempt facilities and facilities functionally related and subordinate thereto which comprise an industrial facility; the entering into of certain covenants and agreements and the execution and delivery of certain instruments relating to the issuance of the aforesaid bonds, including, without limitation, an indenture of trust between Berkeley County and a trustee bank to be named, or any successor thereto securing the Series 2003 Bonds and prescribing matters related thereto and a loan agreement between Berkeley County and BP Amoco Chemical Company, and other matters relating thereto.  
[Recommended by Committee on Finance]

7. **Bill No. 03-18**, An Ordinance authorizing the execution and delivery of a Fee-In-Lieu of Tax agreement and certain instruments relating thereto by and between Berkeley County and Marine Terminals of South Carolina, Inc., whereby, Berkeley County will enter into a Fee-In-Lieu of taxes arrangement with Marine Terminals of South Carolina, Inc.; providing for payment by Marine Terminals of South Carolina, Inc. of certain Fees-In-Lieu of Ad Valorem taxes; and other matters relating thereto.  
[Recommended by Committee on Finance]

8. **Bill No. 03-19**, An Ordinance to amend Ordinance No. 02-6-23, adopted June 24, 2002, to provide for Supplemental Appropriations and allocations thereof within the 2002-2003 Budget for Berkeley County; and other matters pertaining thereto.  
[Recommended by Committee on Finance]

**RESOLUTIONS:**

1. **RESOLUTION** making application to the State Budget and Control Board of South Carolina for approval of the issuance by Berkeley County, South Carolina, of its exempt facility industrial revenue bonds (BP Amoco Chemical Company Project) Series 2003, pursuant to the provisions of South Carolina Code Annotated, Title 4, Chapter 29 (1976), as amended, in the principal amount of not exceeding \$20,000,000.

[Recommended by Committee on Finance]

2. **RESOLUTION** authorizing the execution and delivery of an inducement agreement by and between Berkeley County, South Carolina and Marine Terminals of South Carolina, Inc., whereby, Berkeley County will enter into a Fee-In-Lieu of taxes arrangement with Marine Terminals of South Carolina, Inc., and other matters relating thereto.

[Recommended by Committee on Finance]

3. **RESOLUTION** authorizing the County Supervisor to execute an agreement between Joseph E. Rudd and Berkeley County for the sale and purchase of a certain one (1) acre parcel in Second Goose Creek Parish, TMS # 178-00-02-055, Berkeley County, South Carolina.

[Recommended by Committee on Finance]

**REPORTS FROM STANDING COMMITTEES:**

1. Committee on Finance.  
Councilmember, Mr. Dennis L. Fish, Chairman.
  - A. Re-designation of lease purchase funds.
2. Committee on Land Use.  
Councilmember, Mr. Milton Farley, Chairman.
3. Committee on Public Works and Purchasing.  
Councilmember, Caldwell Pinckney, Jr., Chairman.
  - A. Water and Sewer trustee service. (Wachovia )
  - B.
    1. Uniform Services – (Reject all bids.)
  - C.
    1. P.S. No. 1 – Influent Force Main Repair Project. (Mabus Bros.)
    2. Video Inspection Camera. (Pearpoint System)
    3. P.S. No 7 – Odor Control. (Bioroem Technologies)
    4. Shulerville/Honey Hill Water Project. (#1 B. F. McMahon, Inc.)  
(#2 Caldwell Tank, Inc.)
    5. Jamestown Water Extension Project. (#1 B. F. McMahon, Inc.)  
(#2 Caldwell Tank, Inc.)
    6. Lower Berkeley WWTP Design Services. (Davis & Floyd, Inc.)
    7. Central Berkeley WWTP Design Services. (Davis & Floyd, Inc.)
    8. 2003 Sewer Improvements, Bidding, Construction, Administration and Inspection Services: (Davis & Floyd, Inc.).

4. Committee on Justice and Public Safety.  
Councilmember, Mrs. Judy C. Mims, Chairman
  1. Magistrate's employee/Victims Witness Advocacy position
  2. Magistrate's Advisory Committee Report.
5. Committee on Water and Sanitation.  
Councilmember, Mr. Steve C. Davis, Chairman.
6. Committee on Planning and Development.  
Councilmember, Mr. Charles E. Davis, Chairman.
7. Committee on Community Services.  
Councilmember, Mrs. Judith K. Spooner, Chairman.
  1. Berkeley County Library – Use of Lottery funds.
8. Committee on Human Services.  
Councilmember, Mr. William E. Crosby, Chairman.

#### **NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.**

ACCOMMODATIONS TAX ADVISORY COMMITTEE  
BCD COUNCIL OF GOVERNMENTS  
BERKELEY-CHARLESTON-DORCHESTER - RTMA  
CHARLESTON NAVAL COMPLEX REDEVELOPMENT AUTHORITY  
CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS  
GOOSE CREEK RECREATION COMMISSION  
HOUSING BOARD OF ADJUSTMENTS AND APPEALS  
PIMLICO SPECIAL TAX DISTRICT ADVISORY BOARD  
PLANNING COMMISSION  
SANTÉE COOPER COUNTIES PROMOTION COMMISSION  
SPIERS LANDING COMMISSION  
TALL PINES SPECIAL TAX DISTRICT  
WATER AND SANITATION APPEALS BOARD

#### **CORRESPONDENCE**

#### **UNFINISHED BUSINESS**

#### **NEW BUSINESS**

#### **ANNOUNCEMENTS**

The APRIL 2003, Regular Meeting of Berkeley County Council will be held on MONDAY APRIL 28TH, 2003, in THE ASSEMBLY ROOM, 223 NORTH LIVE OAK DRIVE, MONCK'S CORNER, S. C., at 7:00 P.M.

**ADJOURNMENT**

**EXECUTION OF DOCUMENTS BY COUNCIL**

**PUBLIC DISCUSSION**

March 19, 2003  
S/Barbara B. Austin  
Clerk of County Council